

1 AN ACT creating the Illinois Workforce Investment Board.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Human Resource Investment  
5 Council Act is amended by changing Sections 1, 2.5, 3, 4.5,  
6 5, 6, 7, and 8 as follows:

7 (20 ILCS 3975/1) (from Ch. 48, par. 2101)

8 Sec. 1. Short title. This Act may be cited as the  
9 Illinois Workforce Investment Board Human-Resource-Investment  
10 Council Act.

11 (Source: P.A. 89-382, eff. 8-18-95.)

12 (20 ILCS 3975/2.5)

13 Sec. 2.5. Purpose.

14 (a) Beginning on the effective date of this amendatory  
15 Act of the 92nd General Assembly, the Illinois Human Resource  
16 Investment Council shall be known as the Illinois Workforce  
17 Investment Board. The Illinois Workforce Investment Board  
18 ~~Human-Resource-Investment-Council~~ is created--as the State  
19 advisory board pertaining to workforce preparation policy.  
20 The Board ~~Council~~ shall ensure that Illinois' workforce  
21 preparation services and programs are coordinated and  
22 integrated and shall measure and evaluate the overall  
23 performance and results of these programs. The Board ~~Council~~  
24 shall further cooperation between government and the private  
25 sector to meet the workforce preparation needs of employers  
26 and workers in Illinois. The Board ~~Council~~ shall provide  
27 ongoing oversight of programs and needed information about  
28 the functioning of labor markets in Illinois.

29 (b) The Board ~~Council~~ shall ~~promote--a--flexible,~~  
30 ~~client-centered,~~~~--equitable,~~~~--and--cost--effective--workforce~~

1 preparation--system--within--the--State---to---maximize---the  
 2 investment--in-human-capital-development-and-to help Illinois  
 3 create and maintain a workforce with the skills and abilities  
 4 that will keep the economy productive.

5 (c) The Board Council shall meet the requirements of the  
 6 federal Workforce Investment Act of 1998 Section-701-of-Title  
 7 VII-of-the-federal-Job-Training-Partnership-Act.

8 (Source: P.A. 89-382, eff. 8-18-95.)

9 (20 ILCS 3975/3) (from Ch. 48, par. 2103)

10 Sec. 3. Illinois Workforce Investment Board. The  
 11 Council--shall--consist--of-members-appointed-by-the-Governor  
 12 with-the-advice-and-consent-of-the-Senate-in-accordance--with  
 13 the--requirements--of-Section-701-of-Title-VII-of-the-federal  
 14 Job-Training-Partnership-Act.

15 (a) The Illinois Workforce Investment Board shall  
 16 include:

17 (1) the Governor;

18 (2) 2 members of the House of Representatives  
 19 appointed by the Speaker of the House and 2 members of  
 20 the Senate appointed by the President of the Senate; and

21 (3) persons appointed by the Governor, with the  
 22 advice and consent of the Senate (except in the case of a  
 23 person holding an office or employment described in  
 24 subparagraph (F) when appointment to the office or  
 25 employment requires the advice and consent of the  
 26 Senate), from among the following:

27 (A) representatives of business in this State  
 28 who (i) are owners of businesses, chief executives  
 29 or operating officers of businesses, or other  
 30 business executives or employers with optimum  
 31 policymaking or hiring authority, including members  
 32 of local boards described in Section 117(b)(2)(A)(i)  
 33 of the federal Workforce Investment Act of 1998;

1           (ii) represent businesses with employment  
 2           opportunities that reflect the employment  
 3           opportunities in the State; and (iii) are appointed  
 4           from among individuals nominated by State business  
 5           organizations and business trade associations;

6           (B) chief elected officials from cities and  
 7           counties;

8           (C) representatives of labor organizations who  
 9           have been nominated by State labor federations;

10          (D) representatives of individuals or  
 11          organizations that have experience with youth  
 12          activities;

13          (E) representatives of individuals or  
 14          organizations that have experience and expertise in  
 15          the delivery of workforce investment activities,  
 16          including chief executive officers of community  
 17          colleges and community-based organizations within  
 18          the State;

19          (F) the lead State agency officials with  
 20          responsibility for the programs and activities that  
 21          are described in Section 121(b) of the federal  
 22          Workforce Investment Act of 1998 and carried out by  
 23          one-stop partners and, in any case in which no lead  
 24          State agency official has responsibility for such a  
 25          program, service, or activity, a representative in  
 26          the State with expertise in such program, service,  
 27          or activity; and

28          (G) any other representatives and State agency  
 29          officials that the Governor may appoint, including,  
 30          but not limited to, one or more representatives of  
 31          local public education, post-secondary institutions,  
 32          secondary or post-secondary vocational education  
 33          institutions, and community-based organizations. At  
 34          least-15%-but-not-more-than-60%-of-the-members-shall

1           be---representatives---of---business,---industry--and  
 2           agriculture,---including---persons-----who-----are  
 3           representatives--of-business-and-industry-on-Private  
 4           Industry-Councils-in-the-State.

5           (b) Members of the Board that represent organizations,  
 6           agencies, or other entities must be individuals with optimum  
 7           policymaking authority within the organization, agency, or  
 8           entity. The members of the Board must represent diverse  
 9           regions of the State, including urban, rural, and suburban  
 10           areas. The--following--State--officials--shall--serve-on-the  
 11           Council-but--shall--not--constitute--more--than--60%--of--the  
 12           Council's--membership:-the-Director-of-Commerce-and-Community  
 13           Affairs--(administering---agency---for---the---Job---Training  
 14           Partnership--Act-and-the-National-and-Community-Service-Act),  
 15           the-Secretary-of-Human--Services--(administering--agency--for  
 16           part--F--of--Title--IV--of--the--Social--Security-Act-and-the  
 17           employment-program-established-under-Section-6(d)(4)--of--the  
 18           Food--Stamp--Act--of-1977),-the-Director-of-the-Department-of  
 19           Employment-Security-(administrator-of-the-Wagner-Peyser-Act),  
 20           the-State-Superintendent-of-Education-(administrator--of--the  
 21           Carl--D.--Perkins-Vocational-and-Applied-Technology-Education  
 22           Act-and-the-Adult-Education-Act),-and-the-Executive--Director  
 23           of--the-Illinois-Community-College-Board,-or-their-designees.  
 24           Each-member-shall-serve-during-the--term--of--his--office--or  
 25           employment.

26           (c) A majority of the members of the Board must be  
 27           representatives described in subparagraph (A) of paragraph  
 28           (3) of subsection (a). There must be at least 2 members from  
 29           each of the categories described in subparagraphs (D) and (E)  
 30           of paragraph (3) of subsection (a). There must be at least 3  
 31           members from the category described in subparagraph (C) of  
 32           paragraph (3) of subsection (a). A majority of any committee  
 33           the Board may establish for the purpose of general oversight,  
 34           control, supervision, or management of the Board's business

1 must be representatives described in subparagraph (A) of  
 2 paragraph (3) of subsection (a); any such committee must also  
 3 include at least one representative from each of the  
 4 categories described in subparagraphs (C) through (E) of  
 5 paragraph (3) of subsection (a) and may include one or more  
 6 representatives from any other categories described in  
 7 paragraph (3) of subsection (a). At least 15%, but no more  
 8 than 60% of the members shall be representatives of organized  
 9 labor. These members shall be selected from among individuals  
 10 nominated by recognized State labor federations.

11 (d) The Governor shall select a chairperson for the  
 12 Board from among the representatives described in  
 13 subparagraph (A) of paragraph (3) of subsection (a). The  
 14 Human Resource Investment Council shall include one or more  
 15 representatives from each of the following:

- 16 (1) local public education;
- 17 (2) a postsecondary institution;
- 18 (3) a secondary or postsecondary vocational  
 19 education institution; and
- 20 (4) a community-based organization.

21 Representatives from these entities shall constitute no  
 22 more than 60% of the Council. The total number of  
 23 representatives appointed under (1), (2), and (3) shall not  
 24 constitute less than 15% of the membership of the Human  
 25 Resource Investment Council.

26 (d-5) (Blank). The Human Resource Investment Council may  
 27 also include additional qualified members who may be selected  
 28 from the following, but who shall not constitute more than  
 29 60% of the Council:

- 30 (1) representatives from local welfare agencies;
- 31 (2) representatives from units of local government  
 32 or consortia of units of local government appointed from  
 33 nominations by the chief elected officials of the units  
 34 of local government or consortia;

1           (3)--representatives-from-public-housing-agencies;  
 2           (4)--representatives-from-the-State-legislature;  
 3           (5)--representatives-from-any-State-or-local-program  
 4           that-receives-funding-under-an-applicable--federal--human  
 5           resource--program--that-the-Governor-has-determined-has-a  
 6           direct-interest-in-the--utilization--of--human--resources  
 7           within-the-State;-and

8           (6)--individuals--who--have--special--knowledge--and  
 9           qualifications----in---special---education---and---career  
 10          development-needs-of-hard-to-serve-individuals-

11          (e) Except as otherwise provided in this subsection,  
 12 this amendatory Act of the 92nd General Assembly does not  
 13 affect the tenure of any member appointed to and serving on  
 14 the Illinois Human Resource Investment Council on the  
 15 effective date of this amendatory Act of the 92nd General  
 16 Assembly. Members of the Board nominated for appointment in  
 17 2000, 2001, or 2002 shall serve for fixed and staggered  
 18 terms, as designated by the Governor, expiring no later than  
 19 July 1 of the second calendar year succeeding their  
 20 respective appointments or until their successors are  
 21 appointed and qualified. In-reconstructing-the-membership--of  
 22 the--Council--pursuant-to-subsections-(a),-(b),-(c),-(d),-and  
 23 (d-5),-as-mandated-in--Section--701--of---Title--VII--of--the  
 24 federal---Job---Training---Partnership---Act,-as---amended,-  
 25 appointments--made--effective--on--July-1,-1995-will-be-given  
 26 fixed--and--staggered--terms--of--no--less--than---2---years-  
 27 Thereafter, Members of the Board nominated for appointment  
 28 after 2002 Council shall serve be-appointed for terms of--two  
 29 years expiring on July 1 of the second calendar year  
 30 succeeding their respective appointments, or until their  
 31 successors are appointed and qualified. A State official or  
 32 employee serving on the Board under subparagraph (F) of  
 33 paragraph (3) of subsection (a) by virtue of his or her State  
 34 office or employment shall serve during the term of that

1 office or employment. A vacancy is created in situations  
 2 including, but not limited to, those in which an individual  
 3 -serving on the Board ceases to satisfy all of the  
 4 requirements for appointment under the provision under which  
 5 he or she was appointed. The Governor may at any time make  
 6 appointments to fill vacancies for the balance of an  
 7 unexpired term. Vacancies shall be filled in the same manner  
 8 as the original appointment. Members shall serve without  
 9 compensation, but shall be reimbursed for necessary expenses  
 10 incurred in the performance of their duties.

11 (f) The Board Council shall meet at least 4 ~~five~~ times  
 12 per calendar year at such times and in such places that as it  
 13 deems necessary. The Board Council shall be subject to the  
 14 "Open Meetings Act" and, to the extent required by that law,  
 15 its meetings shall be publicly announced and open and  
 16 accessible to the general public. The Board Council shall  
 17 adopt any such rules and operating procedures that as it  
 18 deems necessary to carry out its responsibilities under this  
 19 Act and under the federal Workforce Investment Act of 1998  
 20 Job-Training-Partnership-Act.

21 (Source: P.A. 89-382, eff. 8-18-95; 89-507, eff. 7-1-97.)

22 (20 ILCS 3975/4.5)

23 Sec. 4.5. Duties.

24 (a) The Board must perform all the functions of a state  
 25 workforce investment board under the federal Workforce  
 26 Investment Act of 1998, any amendments to that Act, and any  
 27 other applicable federal statutes. The Board must also  
 28 perform all other functions that are not inconsistent with  
 29 the federal Workforce Investment Act of 1998 or this Act and  
 30 that are assumed by the Board under its bylaws or assigned to  
 31 it by the Governor. The---Council---shall---recommen---a  
 32 comprehensive--set--of--workforce-preparation-and-development  
 33 goals-and-implementation-strategies-for-the--development--and

1 coordination-of-the-human-resource-system-within-the-State-to  
 2 the--General--Assembly--and--the-Governor.--The-Council-shall  
 3 annually-review--these--priority--goals--and--strategies--and  
 4 recommend--revisions--as--may--be--necessary.---Any--goals-or  
 5 strategies-adopted-by-the-Council-prior-to-the-effective-date  
 6 of-this-amendatory-Act-of-1997-shall--be--deemed--temporarily  
 7 adopted-until-such-time-as-the-General-Assembly-ratifies-such  
 8 goals-and-strategies-with-the-passage-of-a-joint-resolution.-  
 9 Any--such--temporarily--adopted-goals-and-strategies-that-are  
 10 not-ratified-by-the--General--Assembly--by--joint--resolution  
 11 within--7--months-after-the-effective-date-of-this-amendatory  
 12 Act-of-1997-are-deemed-revoked.

13 (b) The Board must cooperate with the General Assembly  
 14 and make recommendations to the Governor and the General  
 15 Assembly concerning legislation necessary to improve upon  
 16 statewide and local workforce investment systems in order to  
 17 increase occupational skill attainment, employment,  
 18 retention, or earnings of participants and thereby improve  
 19 the quality of the workforce, reduce welfare dependency, and  
 20 enhance the productivity and competitiveness of the State.  
 21 The Board must annually submit a report to the General  
 22 Assembly on the progress of the State in achieving state  
 23 performance measures under the federal Workforce Investment  
 24 Act of 1998, including information on the levels of  
 25 performance achieved by the State with respect to the core  
 26 indicators of performance and the customer satisfaction  
 27 indicator under that Act. The report must include any other  
 28 items that the Governor may be required to report to the  
 29 Secretary of the United States Department of Labor under  
 30 Section 136(d) of the federal Workforce Investment Act of  
 31 1998. The--Council-shall-advise-the-General-Assembly-and-the  
 32 Governor-on-the-development,-implementation,-and-coordination  
 33 of--State--and--local--standards--and--measures--relating--to  
 34 applicable--federal--human--resource--programs,---For---these

1 purposes,--applicable--federal--human-resource-programs-means  
2 any--program--from--among--the--following--that--the--General  
3 Assembly,--the-Governor,--and--the--head--of--the--State--agency  
4 responsible--for--the--administration--of--the-program-jointly  
5 agree--to--include--within--the--jurisdiction--of--the--Human  
6 Resource-Investment-Council;--the--Job--Training--Partnership  
7 Act,--the--Carl--D.--Perkins-Vocational-and-Applied-Technology  
8 Education-Act,--the-National--and--Community--Service--Act--of  
9 1990,--the-Adult-Education-Act,--the-Wagner-Peyser-Act,--part-F  
10 of-Title-IV-of-the-Social-Security-Act,--and--the--employment  
11 program--established--under-Section-6(d)(4)-of-the-Food-Stamp  
12 Act-of-1977-or-subsequent-federal-programs--or--block--grants  
13 designed-for-education-and-employment-related-services.

14 (c) The--Council--shall--be--responsible-for-the-overall  
15 identification-of-human-investment-needs-and--priorities--for  
16 workforce-preparation-in-the-State-and-shall-recommend-to-the  
17 General-Assembly-and-the-Governor-the-goals-for-meeting-these  
18 needs.---The--Council--shall--coordinate-the-establishment-of  
19 advisory---statewide---performance---goals---for---workforce  
20 preparation--programs--as--well--as-a-statewide-framework-for  
21 workforce-preparation-program-evaluation.

22 (d)--The-Council-shall-continuously-monitor-and--evaluate  
23 new--federal--and--State-legislative-proposals-and-shall-make  
24 recommendations--concerning--their---implementation.---Newly  
25 enacted--laws--shall--be--evaluated--and-recommendations-made  
26 concerning-their-integration-within--the--existing--workforce  
27 preparation-system.

28 (e)--The--Council--shall--advocate--the--establishment-of  
29 standard---terms---to---promote---understanding,---planning,  
30 coordination,---and---evaluation---of--workforce--preparation  
31 programs-and-services-at-the-State-and-federal-levels.

32 (f)--Other--duties---of---the---Council---shall---include  
33 recommending-to-relevant-agencies-and-to-the-General-Assembly  
34 and--the--Governor,--with-respect-to-applicable-Federal-human

1 resource-programs-and-others, the-provision-of--services--and  
2 the--use--of--funds--and--resources-for-workforce-preparation  
3 services.

4 (g) Nothing in this Act shall be construed to require or  
5 allow the Board Council to assume or supersede the statutory  
6 authority granted to, or impose any duties or requirements  
7 on, the State Board of Education, the Board of Higher  
8 Education, the Illinois Community College Board, any State  
9 agencies created under the Civil Administrative Code of  
10 Illinois, or any local education agencies.

11 (h)--The--Human--Resource-Investment-Council-shall-assume  
12 the-duties-of--a--State--job--training--coordinating--council  
13 pursuant--to--Sections-121-and-317-of-the-federal-Job-Training  
14 Partnership-Act.

15 (i)--The-Human-Resource--Investment--Council--is--further  
16 charged--with--the--task--of-deliberating-the-desirability-of  
17 establishing-itself-as-a-body-independent-of-any-other--State  
18 agency--or--organization.---Issues--to-be-considered-in-these  
19 deliberations-include, but-are--not--limited--to,--the--costs  
20 associated-with-establishing-a-new-organization, staffing-and  
21 other--personnel--issues, and-consolidation-of-other-councils  
22 into-the-Human-Resource--Investment--Council.---The--Council  
23 shall---issue---a---report---on---its--discussions--and--make  
24 recommendations-to-the-General-Assembly-and-the--Governor--on  
25 whether-and-how-to-proceed.

26 (d) No actions taken by the Illinois Human Resource  
27 Investment Council before the effective date of this  
28 amendatory Act of the 92nd General Assembly and no rights,  
29 powers, duties, or obligations from those actions are  
30 impaired solely by this amendatory Act of the 92nd General  
31 Assembly. All actions taken by the Illinois Human Resource  
32 Investment Council before the effective date of this  
33 amendatory Act of the 92nd General Assembly are ratified and  
34 validated.

1 (Source: P.A. 89-382, eff. 8-18-95; 90-528, eff. 1-1-98.)

2 (20 ILCS 3975/5) (from Ch. 48, par. 2105)

3 Sec. 5. Plans; expenditures. The plans and decisions of  
4 the Board Council shall be subject to approval by the  
5 Governor. All funds received by the State pursuant to the  
6 federal Job Training Partnership Act or the federal Workforce  
7 Investment Act of 1998 shall be expended only pursuant to  
8 appropriation.

9 (Source: P.A. 83-1288.)

10 (20 ILCS 3975/6) (from Ch. 48, par. 2106)

11 Sec. 6. Programs and services, conflict of interest. In  
12 order to assure objective management and oversight, the Board  
13 Council shall not operate programs or provide services  
14 directly to eligible participants, but shall exist solely to  
15 plan, coordinate and monitor the provisions of such programs  
16 and services.

17 A member of the Board may not (1) vote on a matter under  
18 consideration by the Board that (a) regards the provision of  
19 services by the member or by an entity that the member  
20 represents or (b) would provide direct financial benefit to  
21 the member or the immediate family of the member or (2)  
22 engage in any other activity determined by the Governor to  
23 constitute a conflict of interest as specified in the State  
24 plan established under the federal Workforce Investment Act  
25 of 1998.

26 (Source: P.A. 83-1288.)

27 (20 ILCS 3975/7) (from Ch. 48, par. 2107)

28 Sec. 7. Personnel. The Board Council is authorized to  
29 obtain the services of any such professional, technical and  
30 clerical personnel that as may be necessary to carry out its  
31 functions under this Act and under the federal Workforce

1 Investment Act of 1998 Job-Training-Partnership-Act. Funding  
 2 for--the--Council--shall--be--provided--pursuant--to--Section  
 3 202(b)(4) of the federal Job-Training-Partnership-Act.

4 (Source: P.A. 83-1288.)

5 (20 ILCS 3975/8) (from Ch. 48, par. 2108)

6 Sec. 8. Audits. The Illinois Workforce Investment Board  
 7 Department---of---Commerce---and---Community---Affairs,---the---Job  
 8 Training-Coordinating-Council, and any recipient of funds  
 9 under this Act shall be subject to audits conducted by the  
 10 Auditor General with respect to all funds appropriated for  
 11 the purposes of this Act.

12 (Source: P.A. 83-1288.)

13 Section 99. Effective date. This Act takes effect on  
 14 July 1, 2002.